

REMARKS

Claims 1-57 are pending in this application.

Claims 30-57 stand allowed.

Claims 1-5, 22 and 25 stand rejected, and claims 6-21, 23-24 and 26-29 are objected to.

Claims 1-3, 22 and 25 stand rejected as anticipated by Martin et al. Patent 6,003,305 ("Martin").

According to the Examiner, Martin discloses a catalytic converter for use in a purification system for a diesel engine or other compression ignited engine to remove particulate and gaseous pollutants from said assembly comprising: a housing, an exhaust inlet, an exhaust outlet and a catalytic element disposed within said housing about said catalytic element and a heating assembly associated with said housing for heating the exhaust flowing through said housing between said inlet and said catalytic element to a temperature sufficient to initiate a catalytic reaction between the exhaust and said catalytic element and to incinerate particulate pollutants in the exhaust prior to said particulate pollutants contacting said catalytic element.

Martin does not disclose a catalytic converter. In fact, Martin teaches the reader away from using catalytic converters. For example, at col. 1, lines 47-53:

Unfortunately, two factors render such catalytic devices unsuitable for soot-laden gases that are commonly produced by diesel engines. First,

the catalytic devices are ineffective at destroying soot. Second, the soot and other particulates deposit on the monolith, thereby preventing gaseous constituents from reaching the catalytic material, or possibly deactivating or poisoning the catalyst.

Accordingly, Martin does not anticipate Applicant's claims 1 or 22.

According to the Examiner, Martin further discloses that the heating assembly provides one or more flames within said housing for igniting gaseous pollutants in the exhaust and raising the temperature in said housing between said inlet and said catalytic element.

In fact, Martin teaches the contrary. In particular, Martin's specification at col. 4, lines 10-14, recites that:

In order to achieve the above and other objects of the invention, a system and method for establishing reaction of an internal combustion engine exhaust stream within a flameless thermal oxidizer are provided.

According to the Examiner, claim 3 is anticipated by a passage in the specification bridging col. 9, lines 10-67; col. 11, lines 1-34). However, that disclosure does not correspond to the specification. Specifically, the passage does not recite pellets of palladium.

The Examiner contends that Martin discloses a spark plug and means for activating said spark plug. However, the Martin specification does not disclose a spark plug where it should appear. Response to the rejection is problematic.


Applicant respectfully submits that all claims are in condition for allowance.

Respectfully submitted,

HOLLAND & KNIGHT LLP

Dated: December 7, 2004

633 West Fifth Street, 21st Floor
Los Angeles, California 90071-2040
Telephone: (213) 896-2400
Facsimile: (213) 896-2450
E-mail: PTdocketing@hklaw.com
Customer No. 34261

By 
ROBERT E. LYON
Registration No. 24,171
Attorneys for Applicant

OCT2004

2441253_v1

Amendments to the Drawings:

None.